

(See [Fed. R. Civ. P. 3](#))

LR 3-1 Places of Holding Court (See 28 U.S.C. § 117)

The Court is open to receive filings and conduct judicial business in Portland, Eugene, and Medford.

LR 3-2 Divisions of Court

(a) The following divisions of court are established to distribute the judicial work and to align counties for juror management purposes:

(1) Portland Division

Clackamas, Clatsop, Columbia, Hood River, Jefferson, Multnomah, Polk, Tillamook, Wasco, Washington, and Yamhill.

(2) Pendleton Division

Baker, Crook, Gilliam, Grant, Harney, Malheur, Morrow, Sherman, Umatilla, Union, Wallowa, and Wheeler.

(3) Eugene Division

Benton, Coos, Deschutes, Douglas, Lane, Lincoln, Linn, and Marion.

(4) Medford Division

Curry, Jackson, Josephine, Klamath, and Lake.

(b) Pleading Requirement: Assignment to a Division

In the caption of any filing, the filing party must identify the division where "divisional venue" lies.

For purposes of these Local Rules, "divisional venue" means the division of the court in which a substantial part of the events or omissions giving rise to the claim occurred, or a substantial part of the property that is the subject of the action is situated.

Example

UNITED STATES DISTRICT COURT

DISTRICT OF OREGON

MEDFORD DIVISION

**Jane Doe,
Plaintiff,**

v.

**John Doe,
Defendant.**

Case No.:

COMPLAINT

Personal Injury Action (28 U.S.C. § 1332)

DEMAND FOR JURY TRIAL

LR 3-3 Place of Filing (See [LR 77-1](#))

(a) New Actions

(1) Portland Clerk's Office: Cases where divisional venue lies within either the Portland or Pendleton Divisions must be filed in Portland.

(2) Eugene Clerk's Office: Cases where divisional venue lies within the Eugene Division must be filed in Eugene.

(3) Medford Clerk's Office: Cases where divisional venue lies within the Medford Division must be filed in Medford.

(b) Subsequent Papers

Unless otherwise directed by the Court, subsequent papers will be filed and the case file will be maintained where the case was originally filed.

(c) Case Reassignments to Another Division

If a case is filed in any division other than the one required by [LR 3-3\(a\)](#) , the Court may reassign the case to the appropriate division on its own motion or that of any party. When such an order is entered, the clerk will transfer the case file to the receiving division, and the parties must then file all subsequent papers in the new division.

LR 3-4 Place of Trial

(a) Usual Place of Trial

Unless otherwise directed by the Court, cases will be tried in the city in which the case file is maintained.

(b) Pendleton

Upon motion of any party, the Court may order that a case be tried in Pendleton.

(c) Other Places for Conducting Trials

In the interests of justice, the Court may order that the case be tried at any other place within the district.

LR 3-5 Initial Filing Requirements

(a) Advance Payment Required (See 28 U.S.C. § 1914(c))

Before a document can be accepted for filing - or before the Clerk's Office can provide any services covered under the Schedule of Fees adopted by the Judicial Conference of the United States - the filing party, or the person requesting services, must pay all required fees, or file an

In Forma Pauperis application for waiver of fees pursuant to 28 U.S.C. § 1915(a).

(b) Applications to Proceed In Forma Pauperis (See 28 U.S.C. § 1915)

The clerk is directed to conditionally grant an application to proceed In Forma Pauperis and not delay the filing, assignment, and statistical opening of any civil action pending final review and decision on the application by the Court. (See Application to Proceed *In Forma Pauperis* - Incarcerated Person and Application to Proceed *In Forma Pauperis* forms.)

Practice Tips

1. A completed JS-44 Civil Cover Sheet is required to be filed with every civil action.
 2. Checking the JURY DEMAND box on the JS-44 Civil Cover Sheet is required.
- [Fed. R. Civ. P. 38\(b\)](#)

LR 3-6 Additional Service Requirements

(a) Case Management Scheduling Orders and Other Papers (See [LR 16-1](#))

At the time of filing, the Clerk's Office will issue certain documents as enumerated in [LR 16-1](#) .

(b) Responsibility to Serve

Except as provided by 28 U.S.C. § 1915, the filing party is responsible for serving all documents issued by the Clerk at the time of filing upon all named parties. In cases which are removed to this Court, the removing defendant is considered the "filing party" for purposes of this rule and must serve all documents issued by the Clerk at the time of filing upon all named parties.

Practice Tip

Electronic notice by the Court is not a substitute for the filing party's obligation to serve all documents.

LR 3-7 Sealed Cases (See [LR 26-4](#))

(a) New Action

At the time a complaint is presented for filing, any party seeking to file the case under seal must either:

(1) File a motion and supporting memorandum requesting the Court to seal the file. Pending the Court's ruling on the motion to seal, the case file and records will be withheld from the public record; or

(2) Provide a citation to the authorizing legislation (if any). Pending verification of the legislation, the case file and associated records will be sealed and withheld from the public record.

(b) Pending Action

A party seeking to place a pending case under seal must file an appropriate motion requesting the Court to seal the file and all associated electronic records. (See [LR 100-5\(a\)](#)).

(c) Court's Responsibility

After reviewing the motion and supporting materials, the Court will either:

(1) Grant the motion and direct the clerk to file the case and all subsequent papers and electronic records under seal and to limit future access to the sealed case to those individuals included in the order; or

(2) Deny the motion and direct the clerk to file the case in the public records of the Court.

(d) Access to Sealed Cases

Subsequent access to the sealed case will be regulated by controlling statute or Court order.

LR 3-8 Sealed Documents (See [LR 26-4](#))

(a) Sealed Documents Generally

Portions of a document cannot be placed under seal. Instead, the entire document must be placed under seal in order to protect the confidential information.

(b) Filing a Document Sealed by Previous Court Order

When a previous Court order authorizes the filing of a document or other materials under seal, the filing party must present the clerk with a copy of the Court order and submit the materials in an envelope provided by the Clerk's Office marked "SEALED MATERIALS." In addition, all documents authorized to be filed under seal must have the words "AUTHORIZED TO BE FILED UNDER SEAL" typed directly below the document title.

(c) Motions to File a New Document Under Seal

Motions to file a new document under seal - even those offered by stipulation of the parties - will be handled as in camera submissions pursuant to [LR 3-9](#) .

(d) Motion to Seal Previously Filed Documents

A party seeking to place under seal a document that is currently in the public record must file and serve a motion and proposed order pursuant to [LR 3-8\(e\)](#) . Unless requested, the motion will be treated as a discovery motion pursuant to

[LR 26-3](#)

and

[LR 26-4](#)

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(e) Order to Seal Documents and/or Cases (See [LR 79](#))

A proposed order to seal a document or case must include language that:

(1) Identifies the persons authorized to review, copy, photograph, and/or inspect the sealed materials; and

(2) Instructs the clerk whether the document should be excluded from the electronic docket as well as the public case file.

LR 3-9 In Camera Submissions

(a) During Court Proceedings

Documents or other materials offered and accepted for in camera inspection during a Court proceeding will be handled in accordance with LR 3-9(c).

(b) Tendered to the Clerk's Office

Documents tendered ex parte to the Clerk's Office for transmission to the Court and subsequent in camera inspection must be:

(1) Accompanied by a transmittal letter or motion to the assigned judge requesting that the materials be reviewed in camera; and

(2) Enclosed in a separate envelope provided by the Clerk's Office and marked:

Example	Sealed Materials
For In Camera Inspection	

(c) Court Responsibility

After completing the in camera inspection, the Court will direct the Clerk's Office to:

(1) File the documents or materials in the public record; or

(2) File the documents under seal with appropriate disclosure instructions to the clerk; or

(3) Direct that the documents should be returned to the offering party with appropriate instructions.

Amendment History to LR 3

June 1, 2006

Generally Cross References updated throughout the rule.

The word "Memoranda" changed to "Memorandum" throughout the rule.

LR 3.4(a)(1) (2) and (3) The word "in" substituted for the word "from."

The word "must" substituted for the word "will."

LR 3.4(c) The word "Court" substituted for the word "judge."

The word "its" substituted for the word "their."

LR 3.7(a) The phrase beginning with ". . . certain documents as enumerated in LR 16.

LR 3.7(b) The line beginning with "In cases which . . ." added.

Practice Tip added.

LR 3.8(a) (2) The word "Upon" in second sentence replaced with "Pending."

December 1, 2009

LR 3-1 Former LR 3.1 deleted. Subsequent rules renumbered.

LR 3-2 (b) Added to require pleading the division assignment in the case caption.

LR 3-3 Altered text from "Cases arising in counties . . ." to "Cases where divisional v

LR 3-9 Former LR 3.9 deleted.

LR 3-10 Former LR 3.10 deleted.

Generally Cross-references updated and references to Appendix of Forms deleted.